

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:18-cv-00300-MR-WCM

LEAH MORAN, individually and as  
executrix for the Estate of Heather  
GRACE BOONE LEVITSKY, )  
Plaintiff, )  
vs. )  
POLK COUNTY, et al., )  
Defendants. )

---

ORDER

**THIS MATTER** is before the Court *sua sponte*.

This matter is currently scheduled for trial during the March 8, 2021 trial term. In August 2020, the parties advised the Court that they had reached a settlement of this matter. Because the beneficiaries of that settlement are minors, the parties' settlement agreement requires court approval. Accordingly, the Plaintiff filed a consent motion seeking approval of the minor settlement. [See Doc. 56].

The Court held a hearing on the Plaintiff's motion to approve the settlement agreement on December 8, 2020. At that time, the Court determined that additional issues must be addressed before the settlement

can be approved. Despite being contacted by the Court's chambers on a number of occasions regarding the status of the case, the parties have not taken any further action with respect to the motion to approve the settlement.

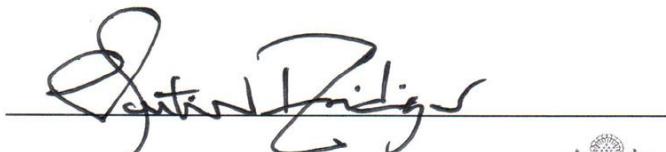
In light of the circumstances, the Court enters the following order.

**IT IS, THEREFORE, ORDERED** that this matter is **CONTINUED** from the March 8, 2021 trial term and will be reset for trial during the Court's May 10, 2021 term.

**IT IS FURTHER ORDERED** that the Plaintiff's Consent Motion to Approve Wrongful Death Settlement [Doc. 56] is **DENIED WITHOUT PREJUDICE** to refiling upon the resolution of the various issues identified by the Court at the December 8, 2020 hearing.

**IT IS SO ORDERED.**

Signed: February 16, 2021



---

Martin Reidinger  
Chief United States District Judge

